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February 7, 2025

By ECF

Hon. Leda Dunn Wettre, U.S.M.J.
Martin Luther King Bldg.
& U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: *In re: Apple Inc. Smartphone Antitrust Litigation,*
Civil Action No. 2:24-md-03113**

Dear Judge Wettre:

We write on behalf of Co-Lead Interim Class Counsel representing the direct purchasers of iPhones (“DPP Plaintiffs”), direct purchasers of Apple Watches (“DAWP Plaintiffs”) and the indirect purchasers of iPhones (“IIP Plaintiffs”) in this litigation (collectively, “Private Plaintiffs”). We write to update the Court on the status of our ongoing efforts to further this litigation and to request permission for the Private Plaintiff tracks to attend the Court’s upcoming Rule 16 Conference in the parallel action brought by the Department of Justice, Antitrust Division (“DOJ”).

Regarding our progress, counsel for the DPP Plaintiffs are actively negotiating a protective order with Apple and have initiated the meet-and-confer process pursuant to Local Rule 26.1.¹ Additionally, all parties—including the DOJ—agree that close and effective coordination between the DOJ and Private Plaintiffs is essential to ensure efficiency, minimize the duplication of discovery, and expedite all proceedings. Further, our request for the production of documents and materials previously provided by Apple to the DOJ remains pending before the Court.

As such, considering the paramount importance of maintaining parallel cooperation, we respectfully request that counsel for the Private Plaintiffs be permitted to attend the Rule 16 Conference in the DOJ action on February 27.

¹ The Private Plaintiffs are willing to abide by the terms of Apple’s protective order with the DOJ as an interim arrangement so as to avoid delaying discovery while the parties negotiate a permanent protective order in this matter. ECF 66 at 2.

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We appreciate the Court's time and attention to this important matter and we thank Your Honor for considering our request. Please let us know if the Court requires any additional information.

Respectfully submitted,

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.

/s/ James E. Cecchi
JAMES E. CECCHI

cc: Counsel of Record (via ECF)

** Application denied in accordance with the Court's February 14, 2025 Order in Civil Action No. 24-4055 (JXN) (LDW).

SO ORDERED.

s/ Leda Dunn Wettre, U.S.M.J.

Dated: 2/14/2025